

NOTE: A SEPARATE PETITION MUST BE FILED FOR EACH CRIMINAL CASE AND THE CHARGE(S) MUST BE LISTED IN THIS PETITION FOR THE CHARGE(S) TO BE EXPUNGED. ADDITIONALLY, A COPY OF YOUR CURRENT AOC CRIMINAL HISTORY RECORD MUST BE ATTACHED TO THIS PETITION.

AOC-497.2 Doc. Code: PEXA
Rev. 4-08
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Commonwealth of Kentucky
Court of Justice www.courts.ky.gov
KRS 431.076



PETITION/ MOTION FOR EXPUNGEMENT
(FOR ACQUITTAL OR
DISMISSAL WITH PREJUDICE)

Case No. _____
Court _____
County _____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

NAME

ADDRESS

PHONE NUMBER

DEFENDANT

Defendant's Birthdate: _____ Defendant's SSN: _____ Violation/Arrest Date: _____
Jail ID Number _____ (optional)

Comes now, the Defendant herein, and petitions the Court, pursuant to KRS 431.076, to expunge the following charges which were either acquitted or dismissed with prejudice in the above-referenced case:

CHARGE: _____	CHARGE: _____
CHARGE: _____	CHARGE: _____
CHARGE: _____	CHARGE: _____

In support of this Petition, the Defendant states as follows:

- ☐ At least sixty (60) days prior to filing this motion, the Defendant was acquitted of the above-listed charge(s); or,
☐ At least sixty (60) days prior to filing this motion, the above-referenced charge(s) was/were dismissed with prejudice and said dismissal was NOT in exchange for a guilty plea to another offense;
- ☐ There are no current charges or proceedings pending in the above-styled case.

The Defendant prays that this Petition for Expungement for Acquittal or Dismissal with Prejudice be granted and that this Court enter an Order that the following agencies expunge/seal any records in the agency(ies) custody regarding these charges: **LIST AGENCIES HERE**

and further Order said agency(ies) to certify to the Court within sixty (60) days of entry of the Order that the required sealing action has been completed.

Note: Defendant/Petitioner must sign this petition **in the presence of** the circuit clerk so that the clerk can notarize his/her signature.

Date: _____, 2____.

Defendant/Petitioner

Subscribed and sworn to before me by _____

this _____ day of _____, 2____.

Clerk

By: _____ D.C.

ORDER

Having considered this Petition/Motion for Expungement, the court hereby orders the circuit clerk:

☐ to set a date for an expungement hearing.

☐ not to set a date for an expungement hearing.

Judge

NOTIFICATION OF EXPUNGEMENT HEARING

This case is set for a hearing on _____ at the hour of

_____ [] a.m. [] p.m. at the _____ [] District [] Circuit Court.

Dated this _____ day of _____, 2____. The county or Commonwealth's attorney, as appropriate, may respond to this Petition/Motion. If the criminal charge(s) relates to the abuse or neglect of a child, the Office of General Counsel of the Cabinet for Health and Family Services (CHFS) shall respond within twenty (20) days of receipt of this notification if the CHFS has custody of records that reflect that Defendant/Petitioner has been determined by the CHFS or a court under KRS chapter 620 to be a substantial perpetrator of child abuse or neglect.

Clerk

By: _____ D.C.

For Clerk Use Only

If the court ordered an expungement hearing, this Petition/Motion for Expungement was sent on the _____ day of _____, 2____, to Defendant/Petitioner or his/her attorney; the county or Commonwealth's Attorney, as appropriate; and, if the criminal charge(s) relates to the abuse or neglect of a child, to the CHFS. If the court did not order a hearing, this Petition/Motion was sent on the _____ day of _____, 2____, to Defendant/Petitioner.

Clerk

By: _____ D.C.